

REMARKS

This Amendment is being filed in response to the Office Action mailed August 13, 2008, which have been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-10 remain in this application, where claims 1, 4 and 9 are independent.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice. Further, the specification has been amended to correct certain informalities.

By means of the present amendment, claims 1-10 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The' instead of 'A', and deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Such amendments to claims 1-10 were not made in order to address issues

of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, claims 1-8 and 10 are rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. Without agreeing with the position forwarded in the Office Action and in the interest of advancing prosecution, claim 1 has been amended to remove the alleged informality noted in the Office Action. It is respectfully submitted that the rejection of claim 1 has been overcome and an indication as such is respectfully requested.

In the Office Action, the Examiner indicated that claim 9 is allowed and that claims 4-5 would be allowable if rewritten in independent form. Applicants gratefully acknowledge the indication that claim 9 is allowed and that claims 4-5 contain patentable subject matter. By means of the present amendment, allowable claim 4 has been rewritten in independent form without including certain features that are believed to be not necessary for patentability. Accordingly, it is respectfully requested that independent claim 4 be allowed. In addition, it is respectfully requested that claim 5 also be allowed at least based on its dependence from independent

claim 4 as well as its individually patentable elements.

In the Office Action, claims 1-3, 6-7 and 10 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,957,569 (Helbig). Further, claim 8 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Helbig in view of U.S. Patent No. 2,763,803 (Kreffft). It is respectfully submitted that claims 1-3, 6-8 and 10 are patentable Helbig and Krefft for at least the following reasons.

Helbig is directed to a lamp with cement-free base and metal/plastic reflector-type socket with spring. As recited in the Abstract and page 1, lines 9-14 of the present Application, the Helbig includes a metal support sleeve 13 which is anchored to a plastic base part 14. As described on page 1, lines 15-20 of the present Application, the plastic base part 14 of such lamps suffer from high thermal loading that can lead to decomposition, vaporization and/or out-gassing of the plastic components, impairing the function and appearance of the lamp.

As shown in FIG 1 and recited in the Abstract, the plastic base part 14 of the Helbig lamp includes reference lugs 14a which

are used for holding and correct installation of the lamp in the reflector. The plastic reference lugs 14a are covered by metal cover tabs 13b so that plastic reference lugs 14a are screened against the electromagnetic radiation generated by the lamp. Alternatively, the reference lugs (43b shown in FIG 6) are made of metal.

As recited on column 3, lines 54-56, the metal support sleeve 13 has four integrally formed welding tabs 13a which are spot-welded or laser-welded to a metal fastening ring 12. That is, the welding tabs 13a are between two metal parts, namely, the metal support sleeve 13 and the metal fastening ring 12.

In stark contrast, the present invention as recited in independent claim 1, amongst other patentable elements requires (illustrative emphasis provided):

a bottom section made of plastic, wherein the bottom section includes an opening,
a base sleeve made of metal disposed in the opening, the base sleeve being connected to the holding device,
wherein, at least in an upper area of the base sleeve facing towards the burner, an inner wall of the opening and/or an exterior of the base sleeve is provided with projections such that the [metal] base sleeve, along its

periphery, does not bear against the [plastic]
bottom section over its entire surface.

Projections that prevent the metal base sleeve from bearing against the plastic bottom section over its entire surface are nowhere disclosed or suggested in Helbig. Rather, Helbig merely discloses welding tabs 13a that are between two metal parts, namely, the metal support sleeve 13 and the metal fastening ring 12. Krefft is cited to allegedly show other features and does not remedy the deficiencies in Helbig,

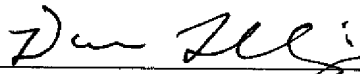
Accordingly, it is respectfully submitted that independent claim 1 should be allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-3, 6-8 and 10 should also be allowed at least based on their dependence from independent claim 1 as well as their individually patentable elements. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the

presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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